

**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, MARCH 12, 2002**  
**COUNTY COMMISSIONERS CHAMBERS**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

Commissioners Present: Bob Workman, Chair  
Bernie Heier, Vice Chair  
Kathy Campbell  
Larry Hudkins

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

Commissioners Absent: Ray Stevens

The Board of Equalization meeting was called to order at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 5, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Heier seconded approval of the Board of Equalization minutes dated March 5, 2002. Campbell, Hudkins, Workman and Heier voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 46 additions and deductions to the tax assessment rolls per Exhibit A.**

**MOTION:** Heier moved and Hudkins seconded approval of the additions and deductions to the tax assessment rolls. Heier, Campbell, Hudkins and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**First Baptist Church  
Lincoln Lutheran School Association  
Nebraska Crop Improvement Association  
Nebraska Wesleyan University  
Redeemer Lutheran Church  
Sisters of St. Francis  
Southeast Nebraska Mobile Diagnostic Services, Inc.**

**MOTION:** Heier moved and Campbell seconded approval of the motor vehicle tax exemptions. Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **SETTING OF A PUBLIC HEARING FOR NOTICE OF VALUATION CHANGE:**

**Setting of a public hearing for Tuesday, March 26, 2002 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for R E D Capital Management Holdings LLC.**

**MOTION:** Heier moved and Campbell seconded approval of setting a public hearing for March 26, 2002 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for R E D Capital Management Holdings LLC. Workman, Hudkins, Campbell and Heier voted aye. Motion carried.

5) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY FOR THE FOLLOWING:**

**Chee Peng Tan & Peih Leng Ooi**

**Scott A. & Darla D. Mills**

Norm Agena, County Assessor, stated both properties were new construction and were completed in 2001. He indicated his office had inadvertently missed the properties.

**Kathleen A. Fischer**

Agena explained that the incorrect legal description was given to his office.

**MOTION:** Campbell moved and Hudkins seconded to accept the County Assessor's recommendation and set the following new values: \$77,300 for Chee Peng Tan and Peih Leng Ooi; \$99,110 for Scott A. and Darla D. Mills and \$151,030 for Kathleen A. Fischer. Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

6) **ADJOURNMENT:**

By direction of the Chair, the Board of Equalization meeting was adjourned at 1:35 p.m.

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Bruce Medcalf  
County Clerk

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Commissioners Present: Bob Workman, Chair  
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David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

Commissioners Absent: Ray Stevens

The Board of Commissioners meeting was convened at 1:35 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 5, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated March 5, 2002. Campbell, Hudkins, Heier and Workman voted aye. Motion carried.

- 2) **CLAIMS FOR REVIEW:**

There were no claims for review.

- 3) **CLAIMS:** Approval of all claims processed through Tuesday, March 12, 2002.

**MOTION:** Heier moved and Hudkins seconded approval of the claims processed through March 12, 2002. Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **SPECIAL PRESENTATIONS:**

A. The Commissioners Award of Excellence for the Month of February was presented to William Nelson, an employee with the Community Mental Health Center.

5) **PUBLIC HEARINGS:**

A. Continuation of a public hearing regarding County Final Plat 01036, Prairie Vista, requested by Lyle Loth of ESP on behalf of Andrew and Tamera Ingwerson, for six lots on property generally located south of North 176<sup>th</sup> Street and Fletcher Avenue in Lancaster County, Nebraska. (Continued from February 26, 2002.)

The Chair reconvened the public hearing and asked if anyone wished to testify in favor of the final plat, in opposition or in a neutral position.

Andrew Ingwerson, applicant, appeared and requested that the hearing be recessed for one week because an additional signature is needed on the final plat.

David Johnson, Deputy County Attorney, stated he had received a message from Lyle Loth, commercial and residential developer, indicating there was some confusion between banks and that the mylar had not been executed. He explained that Mr. Loth is trying to get all documentation in order and had requested an additional week.

By direction of the Chair, the hearing was recessed for one week.

B. County Special Permit 190, Deer Trail Community Unit Plan (formerly known as Deer Field Community Unit Plan), requested by Brian D. Carstens and Associates on behalf of Robert D. Doolittle, consisting of five single family acreage lots, on property generally located at Highway 77 and Martell Road in Lancaster County, Nebraska.

C. County Preliminary Plat 01018, Deer Trail (formerly known as Deer Field), requested by Brian D. Carstens and Associates on behalf of Robert D. Doolittle, consisting of five single family acreage lots, on property generally located at Highway 77 and Martell Road in Lancaster County, Nebraska.

5) **PUBLIC HEARINGS CONTINUED:**

The Chair opened the public hearings and asked if anyone wished to testify in favor of the special permit and preliminary plat, in opposition or in a neutral position. It was noted that the hearings would be continued one week because the developer had a death in the family.

Jill Sherman, representative for Brian D. Carstens and Associates, appeared to answer any questions.

Heier inquired as to whether the owner of the property had requested the smoke easement.

Sherman responded that the owner had not requested the smoke easement. She explained that the Natural Resources District (NRD) requested the easement be placed on the property to protect the prairie abutting the development.

In response to a question asked by Heier, Sherman stated they would not have placed the smoke easement on the property.

Mike DeKalb, Planning Department, explained that the Kraft's, landowners to the south of the development, had given a conservation easement to the Lower Platte South NRD who objected to having acreage homes next to the prairie. One of the issues involved, he stated, was that their intended management of the prairie was burning and in burning they would receive complaints about smoke drift across other neighbors property. DeKalb said in an attempt to resolve the issue it was suggested at the Planning Commission meeting that a smoke easement be placed on the property which the applicant and the NRD agreed to.

Heier stated he was not in favor of a smoke easement and suggested that it be deleted.

Hudkins stated he was also concerned about the smoke easement in that the County Board could be setting a precedent.

Hudkins stated it was his understanding that every burn permit for land in the Conservation Reserve Program (CRP) requires an approved management plan. He further stated that there can be no open burning after April 1<sup>st</sup> because of wildlife protection and that any burn would have public notification because of the fact that a burn permit is required.

5) **PUBLIC HEARINGS CONTINUED:**

Dan Schultz, Lower Platte South NRD, appeared to answer questions and indicated he would be available for comment next week.

The Chair asked if anyone else wished to testify.

No one appeared and the public hearings were recessed for one week.

6) **OLD BUSINESS:**

**A. A service agreement with Simplex Grinnell for testing, inspections, cleaning and service of the smoke detection system at the Lancaster County Corrections Department, beginning March 1, 2002 and ending March 1, 2003. The County will pay \$7,211 for the service. (C-02-70)**

In response to a question asked by Heier, Kathy Smith, Assistant Purchasing Agent, explained that when the jail was constructed the fire alarm/ smoke detection system was bid out as part of the construction package and Simplex was the company who received the award. She stated that the Jail Standards Division in the State of Nebraska requires that the system be evaluated on an on-going, annual basis.

**MOTION:** Heier moved and Campbell seconded approval of a service agreement with Simplex Grinnell for testing, inspections, cleaning and service of the smoke detection system at the Corrections Department. Campbell, Workman, Heier and Hudkins voted aye. Motion carried.

**B. A grant contract with Madonna Rehabilitation Hospital for the Medical Transportation Project, in the amount of \$10,000. The term of the grant project is July 1, 2001 to June 30, 2002. (C-02-01)**

**MOTION:** Campbell moved and Heier seconded approval of a grant contract with Madonna Rehabilitation Hospital. Heier, Workman, Campbell and Hudkins voted aye. Motion carried.

6) OLD BUSINESS CONTINUED:

- C. **A lease agreement between the Lancaster County Community Mental Health Center and Hepburn Properties, L.L.C. for lease of apartment number two at OUR Homes/The Heather, located at 2039 "Q" Street in Lincoln, Nebraska, beginning January 1, 2002 and ending December 31, 2002. The County will pay \$2,000 per month for lease of the premises. (C-02-37)**

Johnson requested the County Board approve the agreement subject to the lessor obtaining the necessary permits for the County to lease the space.

**MOTION:** Heier moved and Campbell seconded approval of a lease agreement between the Community Mental Health Center and Hepburn Properties, L.L.C. for lease of apartment number two at 2039 "Q" Street subject to the lessor obtaining the necessary permits in order for the County to lease the space. Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

7) NEW BUSINESS:

- A. **A contract with Hank Buis Construction to build a maintenance station in Raymond, Nebraska; Project Number 02-02. The County will pay \$135,700 for the construction. Work will commence on or before April 15, 2002 and be completed by September 6, 2002. (C-02-90)**

**MOTION:** Heier moved and Campbell seconded approval of a contract with Hank Buis Construction to build a maintenance station in Raymond, Nebraska. Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

- B. **A contract between the Lancaster County Engineering Department and B-Y Excavating, Inc. for channel work at County Bridge M-178, generally located at 128<sup>th</sup> Street between "O" and "A" Streets, in the amount of \$22,290.86. Work will commence on or before April 1, 2002 and be completed by July 26, 2002. (C-02-91)**

**MOTION:** Hudkins moved and Heier seconded approval of a contract with B-Y Excavating, Inc. for channel work at County Bridge M-178. Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

7) NEW BUSINESS CONTINUED:

- C. **An agreement with the City of Lincoln d/b/a Lincoln Electric System to assist the City in funding to fill the vacant position of Administrative Assistant to the Mayor for services related to economic development opportunities. The County will pay \$10,416.66 for the services in the 2001-2002 fiscal year. The County shall contribute \$25,000 for each subsequent fiscal year. (C-02-92)**

By direction of the Chair, the agreement with the City of Lincoln d/b/a Lincoln Electric System to assist the City in funding to fill the vacant position of Administrative Assistant to the Mayor for services related to economic development opportunities was held.

- D. **An agreement between the Nebraska Department of Health and Human Services (HHS), the Lancaster County Community Mental Health Center (CMHC) and Mary Hepburn O'Shea for transition services for individuals with severe mental illness to transition them from inpatient hospitalization to community living. HHS will provide direct and indirect staff through a registered nurse and psychiatric specialists. The County will provide direct staff. Mary Hepburn O'Shea will provide bedroom units and ancillary services to include up awake staff. The County will pay reimbursement at a rate of \$15 per hour for up to 65 hours for up awake staff. The County will also pay reimbursement for the State's direct staff. Term of the agreement is January 1, 2002 to December 31, 2002. (C-02- 93)**

Johnson noted that the County will pay reimbursement at a rate of \$15 per hour for up to 65 hours per week for up awake staff.

Johnson explained that the contract was drafted as a result of the director of the Community Mental Health Center (CMHC) indicating a need for up awake staff. He added that most of the terms of the agreement were already executed in a previous agreement, however, the agreement currently being discussed better outlines the services and payment. Johnson added that if the County Board approves the present agreement under Contract Number C-02-93, the previous agreement would be terminated.

**MOTION:** Campbell moved and Heier seconded approval of an agreement between the Nebraska Department of Health and Human Services, the Community Mental Health Center and Mary Hepburn O'Shea. Hudkins, Campbell, Heier and Workman voted aye. Motion carried.

7) NEW BUSINESS CONTINUED:

**E. An amendment to an agreement with Daniel P. Leggiadro, Ph.D. for psychological services at the Community Mental Health Center. The amendment replaces Daniel Leggiadro, Ph.D. with Lincoln Psychological Services, P.C. due to the incorporation of his business. All other terms and conditions to the agreement shall remain in full force and effect. (C-02-94)**

**MOTION:** Heier moved and Campbell seconded approval of an amendment to an agreement with Daniel P. Leggiadro, Ph.D. Campbell, Hudkins, Heier and Workman voted aye. Motion carried.

**F. An amendment to an agreement with Lincoln Council on Alcoholism and Drugs to provide funding for substance abuse education and evaluation. The amendment provides \$420 for a technical application workshop. (The amendment is to County Contract C-01-459.) (C-02-95)**

**MOTION:** Hudkins moved and Campbell seconded approval of an amendment to an agreement with Lincoln Council on Alcoholism and Drugs. Heier, Campbell, Hudkins and Workman voted aye. Motion carried.

**G. A 30 day cancellation notice of an agreement with Solutions for maintenance on a Minolta EP5320 copier and related equipment. The cancellation is effective April 30, 2002.**

**MOTION:** Heier moved and Campbell seconded approval of a 30 day cancellation notice of an agreement with Solutions. Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

**H. Appointment of Roger Larson to the Lincoln-Lancaster Planning Commission for the remainder of a six year term, expiring August 24, 2005. (Mr. Larson replaces Linda Hunter.)**

**MOTION:** Hudkins moved and Campbell seconded approval of the appointment of Roger Larson to the Lincoln-Lancaster Planning Commission. Workman, Hudkins, Campbell and Heier voted aye. Motion carried.

7) NEW BUSINESS CONTINUED:

I. **Appointment of the following individuals to the Government Access and Information Committee (GAIC):**

<u>Name</u>	<u>Expiration of Term</u>
James O'Hanlon (Replaces Susan Holland)	January 1, 2004
Rod Armstrong (Replaces Mark Dahmke)	January 1, 2004

**MOTION:** Heier moved and Campbell seconded approval of the appointments to the Government Access and Information Committee (GAIC). Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

J. **Appointment and reappointments of the following individuals to the Lincoln-Lancaster Women's Commission:**

<u>Name</u>	<u>Expiration of Term</u>
Roberta Stick (Reappointment)	March 1, 2004
Maria Medrano-Nehls (Reappointment)	March 1, 2004
Kathleen Uhrmacher (Replaces Cathy Noth)	March 1, 2004
Colleen Ozanne (Replaces Marla Payant)	March 1, 2004
Renee Geller (Replaces Mary Jensen)	March 1, 2004
Bridget Christensen (Replaces Melba Cope)	March 1, 2004
Holly Burns (Replaces Helen Moore)	March 1, 2004

Bonnie Coffey, Executive Director of the Lincoln-Lancaster Women's Commission, appeared and gave a brief biography of the new appointments. She stated that Kathleen Uhrmacher is a high school teacher, Colleen Ozanne works for State Farm Insurance, Renee Geller is involved with Nebraska Urban Indian Health, Bridget Christensen is a high school teacher in Waverly and Holly Burns currently works for the Mexican-American Commission.

**MOTION:** Campbell moved and Heier seconded approval of the reappointments and new appointments to the Lincoln-Lancaster Women's Commission. Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

7) **NEW BUSINESS CONTINUED:**

K. **Appointment of the following individuals to the Commissioners Award of Excellence Committee for two year terms, beginning February 1, 2002:**

<b><u>Name</u></b>	<b><u>Expiration of Term</u></b>
Joe Gehr	January 31, 2004
Don Giebelhaus	January 31, 2004

**MOTION:** Heier moved and Hudkins seconded approval of the appointments to the Commissioners Award of Excellence Committee. Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

8) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. **Receive and Place on File:**

1. **County Clerk's Monthly Report for February, 2002.**
2. **Lancaster Manor's Monthly Report.**
3. **Records & Information Management's Monthly Report for February, 2002.**
4. **Register of Deeds Monthly Report for February, 2002.**

B. **Setting of a public hearing for Tuesday, March 26, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding County Final Plat 01031, Hickman Ridge Estates, requested by Lyle Loth of ESP on behalf of South 68<sup>th</sup> Street L.L.C., for 33 lots on property generally located at the southeast corner of South 68<sup>th</sup> Street and Roca Road in Lancaster County, Nebraska.**

C. **Requests from the following individuals to voluntarily participate in the Lancaster County Retirement Plan:**

- ▶ **Kimberly Ann Doht, an employee with the Corrections Department**
- ▶ **Kyle R. Mosher, an employee with the Community Mental Health Center**
- ▶ **Steven W. Schultz, an employee with the Public Defender's Office**

8) CONSENT ITEMS CONTINUED:

D. Leasehold agreements relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ Clayton Doeschot, in the amount of \$10, two-tenths of a mile north of Pella Road on South 96<sup>th</sup> Street; Project C.P.X.-101. (C-02-96)
- ▶ Rodney Tekolste, in the amount of \$10, two-tenths of a mile north of Pella Road on South 96<sup>th</sup> Street; Project C.P.X.-101. (C-02-97)

E. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ Harvey Deinert, in the amount of \$233.75, at Northwest 90<sup>th</sup> and Holdrege Streets; Project C.P.M-129. (C-02-98)
- ▶ Norris Public Power District at 112<sup>th</sup> Street and Old Cheney Road; Project C55-Q-407(1). This is a donation. (C-02-99)

**MOTION:** Heier moved and Campbell seconded approval of the Consent Items. Campbell, Workman, Heier and Hudkins voted aye. Motion carried.

9) ANNOUNCEMENTS:

Workman announced that on Wednesday, March 13, 2002 at 1 p.m. the Planning Commission will hold the first of two public hearings regarding the Comprehensive Plan and invited individuals to attend the meeting. He added that those individuals unable to attend could watch the hearing on 5 CITY-TV or videostream the meeting on a computer.

10) ADJOURNMENT:

**MOTION:** At 2:15 p.m. Heier moved and Hudkins seconded adjournment of the Board of Commissioners meeting. Heier, Workman, Campbell and Hudkins voted aye. Motion carried.

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Bruce Medcalf  
County Clerk